# CONTINENTAL LIME INC.



A STEEL BROTHERS COMPANY

June 25, 1985

State of Utah
Natural Resources
Oil, Gas & Mining
355 W. North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

Attn: Pamela Grubaugh-Littig

Reclamation Engineer

Dear Ms. Grubaugh-Littig:

Re: MR-5 Form Cricket Mountain Lime Plant ACT/027/006 Millard County, Utah

Enclosed please find the executed MR-5 Form, Affidavit of Qualification, and description of lands affected in conjuntion with our reclamation bond #B52-91-16.

We trust this will all be in order.

Yours truly, CONTINENTAL LIME INC.

William E. Dodge Production Manager

WED/pk

cc: Don Wakin

JUN 27 1985

RECEIVED

DIVISION OF OIL GAS & MINING

File ACT/027/206

MR FORM 5

(January 1985) (Noncoal)

Bond Number	
Permit Number	ACT/027/006

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

THE MINED LANDS RECLAMATION ACT

BOND \*\*\*\*\*\*

The undersigned CONTINENTAL LIME INC.
as principal, and RELIANCE INSURANCE COMPANY as
surety, hereby jointly and severally bind ourselves, our heirs, administrators
executors, successors and assigns unto the State of Utah, Division of Oil, Gas
and Mining in the penal sum ofTHIRTY_EIGHT THOUSAND TWENTY AND XX/100
dollars (\$38,020.00 ).
The principal estimated in the Mining and Reclamation Plan filed with the
Division of Oil, Gas and Mining on the 12th day of FEBRUARY
by this mining operation in the State of Utah. A description of the disturbed
land is attached hereto as Exhibit "A."

When the Division has determined that the principal has satisfactorily reclaimed the above-mentioned lands affected by mining in accordance with the approved Mining and Reclamation Plan and has faithfully performed all requirements of the Mined Land Reclamation Act, and complied with the Rules and Regulations adopted in accordance therewith, then this obligation shall be void; otherwise it shall remain in full force and effect until the reclamation is completed as outlined in the approved Mining and Reclamation Plan.

If the approved plan provides for reclamation of the land affected on a piecemeal or cyclic basis, and the land is reclaimed in accordance with such plan, then this bond may be reduced periodically.

In the converse, if the plan provides for a gradual increase in the area of the land affected or increased reclamation work, then this bond may accordingly be increased with the written approval of the surety company.

The Division shall only accept the bond of a surety company if the bond is noncancellable by the surety at any time for any reason including, but not limited to nonpayment of premium or bankruptcy of the permittee during the period of liability.

Page 2 NONCOAL MR-5

NOTE: Where one signs by virtue of Power of Attorney for a surety company, such Power of Attorney must be filed with this bond. If the principal is a corporation, the bond shall be executed by its duly authorized officers with the seal of the corporation affixed.

Dated this 12th day of MAY , 1985 .

State of Utah Board of Oil, Gas and Mining

Gregory P Williams, Chairman

CONTINENTAL LIME INC.
Principal (Company)

Secretary and

Date: June 18 1985

RELIANCE INSURANCE COMPANY

Surety (Company)

Official of Surety - Position

PINA IALUNGO, Attorney-in-Fact

DATE: <u>June 12, 1985</u>

APPROVED AS TO FORM:

MUMULU Kolutz Assistant Attorney General

# AFFIDAVIT OF QUALIFICATION

T, PINA ALUNGO, being first duly sworn, on oath deposes and says that she is the (officer or agency). Allogated a late of the factor
, being first duly sworn, on oath deposes and
says that she is the (officer or agency) ATTERATY - IN FACT
of said Company, and that she is duly authorized to execute and deliver the
foregoing obligations; that said Company is authorized to execute the same and
has complied in all respects with the laws of Utah in reference to becoming
sole surety upon bonds, undertakings and obligations.
(Signed) (Signed)
Subscribed and sworn to before me this 12 day of JUNE, 1985.
Notary Public
My Commission Expires:

1282R

STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING
355 West North Temple
3 Triad Center, Suite 350
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THE MINED LANDS RECLAMATION ACT

BOND \*\*\*\*\*\*\*

Exibit A - Description of disturbed land

A total area of 29 acres more or less located in the following areas held by the company in Township 21S, Range 10W, SLBM.

1/4	Section	23
1/4	Section	24
1/4	Section	25
1/4	Section	25
1/4	Section	25
1/4	Section	26
1/4	Section	26
1/4	Section	35
1/4	Section	36
1/4	Section	36
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#### RELL NCE INSURANCE ( MPANY

HEAD OFFICE, PHILADELPHIA, PENNSYLVANIA

## **POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, That the RELIANCE INSURANCE COMPANY, a corporation duly organized under the laws of the State of Pennsylvania, does hereby make, constitute and appoint

PINA IALUNGO of VANCOUVER, CANADA---

its true and lawful Attorney-in-Fact, to make, execute, seal and deliver for and on its behalf, and as its act and deed

ANY AND ALL BONDS AND UNDERTAKINGS OF SURETYSHIP----

and to bind the RELIANCE INSURANCE COMPANY thereby as fully and to the same extent as if such bonds and undertakings and other writings obligatory in the nature thereof were signed by an Executive Officer of the RELIANCE INSURANCE COMPANY and sealed and attested by one other of such officers, and hereby ratifies and confirms all that its said Attorney(s)-in-Fact may do in pursuance hereof.

This Power of Attorney is granted under and by authority of Article VII of the By-Laws of RELIANCE INSURANCE COMPANY which became effective September 7, 1978, which provisions are now in full force and effect, reading as follows:

### ARTICLE VII - EXECUTION OF BONDS AND UNDERTAKINGS

- 1. The Board of Directors, the President, the Chairman of the Board, any Senior Vice President, any Vice President or Assistant Vice President or other officer designated by the Board of Directors shall have power and authority to (a) appoint Attorneys-in-Fact and to authorize them to execute on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof, and (b) to remove any such Attorney-in-Fact at any time and revoke the power and authority given to him.
- 2. Attorneys-in-Fact shall have power and authority, subject to the terms and limitations of the power of attorney issued to them, to execute and deliver on behalf of the Company, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof. The corporate seal is not necessary for the validity of any bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof.
- 3. Attorneys-in-Fact shall have power and authority to execute affidavits required to be attached to bonds, recognizances, contracts of indemnity or other conditional or obligatory undertakings and they shall also have power and authority to certify the financial statement of the Company and to copies of the By-Laws of the Company or any article or section thereof.

This power of attorney is signed and sealed by facsimile under and by authority of the following Resolution adopted by the Board of Directors of RELIANCE INSURANCE COMPANY at a meeting held on the 5th day of June, 1979, at which a quorum was present, and said Resolution has not been amended or repealed:

"Resolved, that the signatures of such directors and officers and the seal of the Company may be affixed to any such power of attorney or any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, the RELIANCE INSURANCE COMPANY has caused these presents to be signed by its Vice President, and its corporate soal to 1984. 3rd day of December be hereto affixed, this

RELIANCE INSURANCE COMPANY

STATE OF Washington **COUNTY OF** 

King

On this

3rd day of December 1984, personally appeared Charles B. Schmalz

to me known to be the Vice-President of the RELIANCE INSURANCE COMPANY, and acknowledged that he executed and attested the foregoing instrument and affixed the seal of said corporation thereto, and that Article VII, Section 1, 2, and 3 of the By-Laws of said Company and the Resolution, set forth therein, are still in full force.

My Commission Expires:

July 20.19 86 Notary Public in and for State of

Washington

Residing at

Milton

, Assistant Secretary of the RELIANCE INSURANCE COMPANY, do hereby certify that the above Charles J. Falskow and foregoing is a true and correct copy of a Power of Attorney executed by said RELIANCE INSURANCE COMPANY, which is still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Company this 12th day of

1985.

BDR-1431 Ed. 6/79